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ABSTRACT

This document presents a set of guidelines for schools and religious organizations to use when they enter into an educational partnership. The guidelines reflect two basic and important obligations of the First Amendment: (1) Schools may not forbid students from expressing their personal religious views or beliefs solely because they are of a religious nature; and (2) schools may not endorse religious activity or discriminate against it. When members of faith communities volunteer in schools or volunteer to work with students and their families, they should and must act with this same understanding of the First Amendment. A religious leader who is asked by school officials to participate in crisis counseling should respond to the direct concerns of the students at a time of great sensitivity. However, the occasion cannot be used to proselytize on behalf of his or her faith or encourage the student to attend the following week's service. Checklists are included (Things To Do, Things Not To Do, and Volunteers Need To be Reminded) to address issues partnership programs jointly sponsored by faith-based community groups and public schools. The document ends with a list of eight resources. (RT)

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ED 459 525

Guidelines for School Officials, Volunteers and Mentors Participating in Public School Community Partnerships

Children and schools gain a great deal when every part of a community comes together to support education. This is why we encourage the growing partnership efforts between our nation's public schools and families, community groups, faith-based communities and employers. In 1994, U.S. Secretary of Education Richard Riley began the Partnership for Family Involvement in Education (PFIE) with 40 organizations. Today, close to 6,000 groups and organizations are part of this dynamic and growing effort.

Every part of the community can do its part to encourage adults to take time out of their busy schedules to support the work of our nation's schools. Faith communities can be important participants in these partnerships. For example, members of faith communities can act as tutors and mentors to help children learn to read and write. They can also work with other members of the community to ensure the safety of children in positive after-school activities.

However, it is not appropriate for members of faith communities to use their involvement in public schools as an occasion to endorse religious activity or doctrine or to encourage participation in a religious activity. Adults who choose to volunteer in public schools must respect both the rules established by the school and the strong constitutional protections that children have from becoming a captive audience.

In August 1995, U.S. Secretary of Education Richard Riley, in consultation with Attorney General Janet Reno and at the direction of President Clinton, released guidelines entitled *Religious Expression in Public Schools: A Statement of Principles.* These guidelines were released again in June 1998, and most recently in December 1999. In his original cover letter to these guidelines, Secretary Riley pointed out that the guidelines for religious expression in public schools reflect two basic and equally important obligations of the First Amendment.

"First, schools may not forbid students acting on their own from expressing their personal religious views or beliefs solely because they are of a religious nature. Schools may not discriminate against private religious expression by students, but must instead give students the same right to engage in religious activity and discussion as they have to engage in other comparable activity... At the same time, schools may not endorse religious activity or doctrine, nor may they coerce participation in religious activity....[t]he right of religious expression in school does not include the right to have a 'captive audience' listen, or to compel other students to participate."

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When members and leaders of faith communities volunteer in schools or volunteer to work with students and their families, they should and must act with the same understanding of the First Amendment as school officials have. A volunteer's faith may have motivated him or her to participate in the school volunteer program, but the Constitution does not allow the volunteer to infringe on the religious freedom and beliefs of the students being helped.

An adult who acts as a mentor may not, for example, seek in any way to encourage or discourage the religious faith of the student whom they are mentoring for educational purposes. Suggestions on the best ways to recruit, screen and support mentors can be found in *Yes You Can: Establishing Mentoring Programs to Prepare Youth for College*, a 1998 publication produced by the Department.

A religious leader who is asked by school officials to participate in crisis counseling should respond to the direct concerns of the students at a time of great sensitivity. At the same time, a religious leader cannot use the occasion to proselytize on behalf of his or her own faith or encourage a student to attend the following week's service.

When public schools develop partnerships involving religious communities they must do so with particular care. The following is a helpful checklist for school officials and members and leaders of faith communities who are developing or participating in educational partnerships. This checklist should be seen and used as a companion piece to *Public Schools & Religious Communities: A First Amendment Guide* (see Resources below). These guidelines only address partnership programs that are jointly sponsored by faith-based community groups and public schools. They do not apply to programs run solely by faith-based communities.

Partnerships Involving Public Schools And Faith-based Communities

Public schools forming partnerships including faith-based communities should consider and adhere to the following in developing and supporting such activities:

Things to Do:

Make sure the program has a secular purpose.

In selecting partners remain neutral between secular and rèligious groups and among religious groups.

Select student participants without regard to the religious affiliation of the students.

Make sure any jointly sponsored activities provided within the partnership program, wherever located, are purely secular.

Make sure any space used for the program is safe and secure for the children.

Make sure any space used by the public school for instructional purposes is free of religious symbols.

Put the partnership agreement in writing.

Things Not to Do:

Do not limit participation in the partnership, or student selection, to religious groups or certain religious groups.

Do not encourage or discourage student participation with particular partners based on the religious or secular nature of the organization.

Do not encourage or discourage students from engaging in religious activities.

Do not condition student participation in any partnership activity on membership in any religious group, or on acceptance or rejection of any religious belief, or on participation in, or refusal to participate in, any religious activity.

Do not reward or punish students (for example, in terms of grades or participation in other activities) based on their willingness to participate in any activity of a partnership with a religious organization.

VOLUNTEERS NEED TO BE REMINDED

Volunteers always need to be thanked for their willingness to volunteer their time to help children learn. At the same time, it is very important to remind volunteers from faith communities that the purpose of any partnership is educational and secular in nature, not religious, and that volunteers must respect the very strong First Amendment rights of students. Remind volunteers:

Do not pray with the students and families or encourage them to pray during your volunteer session with them.

Do not preach about your faith to the children and their families while conducting your educational activity.

Do not prohibit or discourage speech or other activity simply because of its religious content or nature.

Do not infringe on the rights of students and their family members to speak about religion or to say a prayer or to read a Scripture, provided it is within the reasonable limits of rules for orderliness, talking, and congregating that are set for other speech and activities.

Public schools, and the programs operated in partnership with them, can neither foster religion nor preclude it. Our public schools must treat religion with fairness and respect and vigorously protect religious expression as well as the freedom of conscience of all students. Volunteer mentors and tutors must uphold these constitutional protections when assisting children in the public school setting. In doing so, public school programs reaffirm the First Amendment and enrich the lives of their students.

Resources from the U.S. Department of Education (1-877-4ED-PUBS)

- *Religious Expression in Public Schools: A Statement of Principles*
- *How Faith Communities Support Children's Learning in Public Schools*
- *Faith Communities Joining Local Communities to Support Children's Learning: Good Ideas*
- *Guidelines for Volunteers and Mentors Participating in Partnerships with Faith-based Communities*
- *Yes, You Can: Establishing Mentoring Programs to Prepare Youth for College*

Information about the Partnership for Family Involvement in Education can be found at http://pfie.ed.gov or via e-mail at Partner@ed.gov/.

Resources from the Freedom Forum First Amendment Center (615-321-9588)

- *Public Schools & Religious Communities: A First Amendment Guide*
- *A Teacher's Guide to Religion in the Public Schools*
- *A Parent's Guide to Religion in the Public Schools*

For a list of organizations that can answer questions about religious expression in public schools, consult *Religious Expression in Public Schools: A Statement of Principles*, pages 11–12.